

## CONGRESSIONAL RECORD SUMMARY

Tuesday, March 6, 2001

### SENATE

#### Measures Passed:

**Ergonomics Rule Disapproval Resolution:** By 56 yeas to 44 nays (Vote No. 15), *Senate passed S.J. Res. 6*, providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics.

*Pages S 1831-88, D 172*

*"... I don't understand why we're even using this extreme measure that we have before us when opponents of ergonomics have two other avenues they can use to modify or even repeal the rule. They could request this administration--the Bush administration--to review the rule to modify or even repeal it. Of course, they also have the court system. They have already filed 31 petitions contesting the rule in the U.S. Circuit Court in Washington, DC..." (Harkin, page S 1869)*

Prior to this action, Senate agreed to the motion to proceed to the consideration of the resolution.

*Pages S 1831, D 172*

#### S. 420. Bankruptcy Reform--Agreement:

*A unanimous-consent agreement was reached providing for further consideration of S. 420, to amend title 11, United States Code, at 11:30 a.m., on Wednesday, March 7, 2001.*

*Pages S 1912, D 172*

#### Committee Meetings:

**Committee on Appropriations:** Subcommittee on Labor, Health and Human Services, and Education concluded hearings to examine the impact of the Occupational Safety and Health Administration on workplace safety ergonomics regulations.

**Committee on the Budget:** Committee concluded hearings to examine the President's proposed budget request for fiscal year 2002.

**Committee on Governmental Affairs:** Permanent Subcommittee on Investigations concluded hearings to examine the role of United States correspondent banking and offshore banks as vehicles for international money laundering, and the efforts of financial entities, federal regulators, and law enforcement to limit money laundering activities within the United States.

*Page D 173*

#### Remark:

School Shootings And Gun Safety.

Durbin

*Pages S 1888-9*

### HOUSE

**Bills Introduced:**

**H.R. 860.** *A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiform civil actions; to the Committee on the Judiciary.*

Sensenbrenner

*Page H 647*

**H.R. 863.** A bill to provide grants to ensure increased accountability for juvenile offenders; to the Committee on the Judiciary.

Smith

*Page H 647*

**H.R. 864.** A bill to restore the separation of powers between the Congress and the President; to the Committee on the Judiciary.

Paul

*Page H 647*

**H.R. 883.** *A bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands; to the Committee on Resources.*

Young

*Page H 648*

**H.R. 889.** *A bill to require that, as a condition of receiving salary, each United States district judge must certify that certain cases before the judge have not been pending and undetermined for more than 90 days after being submitted for decision; to the Committee on the Judiciary.*

Lantos

*Pages H 648-9*

**H.R. 891.** *A bill to prohibit the possession of a firearm by an individual who has committed an act of juvenile delinquency that would be a violent felony if committed by an adult; to the Committee on the Judiciary.*

Moore

*Page H 649*

**H.R. 894.** A bill to provide compensation for injury and property damages suffered by persons as a result of the bombing attack by the United States on August 20, 1998 in Khartoum, Sudan, and for other purposes; to the Committee on the Judiciary.

Rohrabacher

*Page H 649*

**H.J. Res. 27.** A joint resolution to repeal the War Powers Resolution to fulfill the intent of the framers of the Constitution that Congress and not the President has the power to declare war, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Armed Services, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Paul

*Page H 469*

**H.J. Res. 28.** A joint *resolution proposing an amendment to the Constitution of the United States* respecting the right to full employment and balanced growth; to the Committee on the Judiciary.

Jackson

*Page H 469*

**Bills Introduced (Cont'd.):**

**H.J. Res. 29.** A joint resolution *proposing an amendment to the Constitution of the United States*

regarding the right of citizens of the United States to health care of equal high quality; to the Committee on the Judiciary.

Jackson

*Page H 469*

**H.J. Res. 30.** A joint resolution *proposing an amendment to the Constitution of the United States* respecting the right to decent, safe, sanitary, and affordable housing; to the Committee on the Judiciary.

Jackson

*Page H 469*

**H.J. Res. 31.** A joint resolution *proposing an amendment to the Constitution of the United States* regarding the right of all citizens of the United States to a public education of equal high quality; to the Committee on the Judiciary.

Jackson

*Page H 469*

**H.J. Res. 32.** A joint resolution *proposing an amendment to the Constitution of the United States* relating to equality of rights and reproductive rights; to the Committee on the Judiciary.

Jackson

*Page H 469*

**H.J. Res. 33.** A joint resolution *proposing an amendment to the Constitution of the United States* respecting the right to a clean, safe, and sustainable environment; to the Committee on the Judiciary.

Jackson

*H 469*

**H.J. Res. 34.** A joint resolution *proposing an amendment to the Constitution of the United States* relative to taxing the people of the United States progressively; to the Committee on the Judiciary.

Jackson

*H 469*

**H. Res. 81.** *A resolution to provide for the consideration by the United States Court of Claims of a bill for compensation, and for other purposes; to the Committee on the Judiciary.*

Rohrabacher

*H 469*

#### **Reports Filed:**

##### **Reports were filed today as follows:**

**H. Res. 78,** providing for consideration of motions to suspend the Rules (House Report 107-8);

**H. Res. 79,** providing for consideration of **S.J. Res. 6,** a joint resolution providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics (House Report 107-9)

*Pages H 647, D 173*

#### **Committee Meetings:**

**Committee on Financial Services:** Subcommittee on Oversight and Investigations and the Subcommittee on Financial Institutions and Consumer Credit held a joint hearing entitled "*Protecting Consumers: What can Congress do to help financial regulators coordinate efforts to fight fraud?*"

**Committee on Rules:** Granted, by a vote of 7 to 2, a closed rule providing one hour of debate on **S.J. Res. 6,** providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics. The rule waives all points of order against consideration of **S.J. Res. 6** in the House. Finally, the rule provides one motion to recommit.

*Page D 174*

#### **Remarks:**

**H.R. 860, The Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act Of 2001.**

*"...This legislation addresses two important issues in the world of complex, multidistrict litigation. Section*

*2 of the bill would reverse the effects of the 1998 Supreme Court decision in the so-called Lexecon case. It would simply amend the multidistrict litigation statute by explicitly allowing a transferee court to retain jurisdiction over referred cases for trial, or refer them to other districts, as it sees fit. In fact, section 2 only codifies what had constituted ongoing judicial practice for nearly 30 years prior to the Lexecon decision. Section 3 addresses a particular specie of complex litigation--so-called 'disaster' cases, such as those involving airline accidents. The language set forth in my bill is a revised version of a concept which, beginning in the 101st Congress, has been supported by the Department of Justice, the **Administrative Office of the U.S. Courts**, two previous Democratic Congress, and one previous Republican Congress. Section 3 will help to reduce litigation costs as well as the likelihood of forum shopping in single-accident mass tort cases..."*

Sensenbrenner

*Page E 280*

The "Child Support Fairness And Federal Tax Refund Interception Act Of 2001."

Castle

*Pages E 280-1*

Introduction Of No Guns For Violent Perpetrators Act.

Moore

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**Next SENATE MEETING: Wednesday, 9:30 a.m., March 7, 2001.**

**Next HOUSE MEETING: Wednesday, 10:00 a.m., March 7, 2001.**

**OLA: S. Schwarz (Smith), J. Homanich**